

REMARKS

Reconsideration of this application is requested in view of the amendments to the claims and the remarks presented herein.

The claims in the application are claims 1 to 4, 6 to 11 and 13, all other claims having been cancelled. The term "preferably" has been deleted from claim 9.

Claim 12 has been rewritten as a Jepson-type claim 13 and now complies with 35 USC 101.

Claims 1 to 11 have been rejected under the obviousness-type double-patenting over the claims of U.S. Patent No. 6,025,427. The Terminal Disclaimer submitted herewith, together with PTO Form 2038 for \$110.00, obviates this ground of rejection. The rejection of claims 6 and 7 under 35 USC 112 second paragraph as being indefinite, has been overcome by the amendment to the claims. Therefore, withdrawal of this ground of rejection is requested.

Claims 1 to 4, 8 and 10 to 12 were rejected under 35 USC 102 as being anticipated by or, under 35 USC 103, as being obvious over the Colon et al patent or the Sirota et al patent. The Examiner states that Colon teaches water-activatable adhesive compositions comprising a vinyl pyrrolidone/vinyl acetate copolymer with a ratio of VP to VA of 3:1 to 1:3 which encompasses the claimed ratio. The Examiner states that PEG

surfactants are taught in lines 3-13 of column 5 and the use of other polymers are taught in column 4. The Examiner states that Sirota et al teaches the same in the examples with a ratio of 70-10 wt% of VP and 30-90 wt% of VA in lines 31-45 of column 4.

Applicants respectfully traverse this ground of rejection since it is believed that the amended claims are not anticipated or rendered obvious by either one of the references cited by the Examiner. The water-insoluble comonomer is now defined as being an unsubstituted or alpha-substituted ester of acrylic acid or an ester of maleic acid which is a combination of claims 1 and 5 and claim 5 has been cancelled. Neither one of the references disclose colloid dispersions using a water-insoluble acrylate or (meth)acrylate/maleate comonomer in a high proportion as required by the present claims. The disclosure of Colon et al is limited to VP/VA copolymers as indicated in lines 50-55 of column 3. Sirota et al is also limited to VP/VA copolymers combined with a selected water-soluble wax, as indicated in lines 57-62 of column 3. There is no motivation from either reference to prepare an adhesive composition comprising a copolymer derived from a water-soluble monomer and a defined group of water-insoluble (meth)acrylate and/or maleate comonomers. Therefore, the reference is neither anticipated nor rendered obvious in the present invention and withdrawal of these grounds of rejection is requested.

Claims 1 to 12 were rejected under 35 USC 102 as being anticipated by or, under 35 USC 103, as being obvious over the Yeung et al patent which, according to the Examiner, teaches a water-moistenable adhesive composition comprising a stable

emulsion, surfactant, or protective colloid and water, as can be seen from the abstract and the examples. The Examiner states that the emulsifiers in the tables would form a micelle and that vinyl acetate is hydrolyzed, as can be seen from table 5, which hydrolyzed vinyl acetate and vinyl alcohol is water-soluble. Therefore, Example 3 using 80:20 (VA/VP in Table I) with 65% hydrolysis would yield 72% of water-soluble monomer. The protective colloid, such as polyvinyl alcohol and their use with surfactants, are taught in lines 4-10 and 28-31 of column 7. The Examiner deems that wallpapers having an adhesive thereon meet the instant adhesive binders and adhesives for the flooring sector absent a particular substrate.

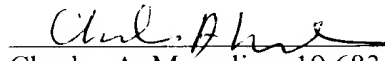
Applicants respectfully traverse this ground of rejection since the Yeung et al patent neither anticipates nor renders obvious Applicants' invention. Yeung et al is limited to water-soluble monomers such as vinyl pyrrolidone and non-water-soluble monomers such as vinyl ester copolymers or to terpolymers derived from water-soluble monomers such as vinyl pyrrolidone and from non-water-soluble monomers of vinyl ester/(meth)acrylate esters in lines 34-47 of column 3. The water-soluble monomer is present in a low amount of up to 40 mol % only. Hydrolysis of the polymerized units derived from the non-water-soluble monomer vinylester to polyvinyl alcohol leads to co- or terpolymers which are water-soluble, as indicated in lines 34-38 of column 6. In contrast to this, Applicants' invention uses copolymers derived from a high amount of water-soluble monomer and a small amount of non-water-soluble monomers as defined in the present claims which form emulsions rather than solutions. The Yeung et al reference does not disclose adhesives comprising colloid dispersions using high amounts

of water-soluble monomers such as vinyl pyrrolidone as required by the present claims.

Therefore, the reference neither anticipates nor renders obvious Applicants' invention and withdrawal of this ground of rejection is requested.

In view of the amendments to the claims and the above remarks it is believed that the claims clearly point out Applicants' patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,
Muserlian, Lucas and Mercanti


Charles A. Muserlian, 19,683
Attorney for Applicant(s)
Tel. # (212) 661-8000

CAM:sd
Enclosure: Return Receipt Postcard